GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD – Allegations of misconduct – Departmental proceedings against Sri P. Bhaskar, DEE, PRI, Sub-Division, Sathyavedu, Chittoor District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 366 Dated: 13-05-2019
Read:-

From Director General, ACB, Vijayawada Letter Rc.No.129/RCT-TCT/2015 Date:06-02-2019.

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ORDER:

It is proposed to hold an enquiry against Sri P. Bhaskar, DEE, PRI, Sub-Division, Sathyavedu, Chittoor District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II,III & IV).

3. Sri P. Bhaskar, DEE, PRi, Sub-Division, Sathyavedu, Chittoor District, is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri P. Bhaskar, DEE, PRI, Sub-Division, Sathyavedu, Chittoor District, is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri P. Bhaskar, DEE, PRI, Sub-Division, Sathyavedu, Chittoor District, is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri P. Bhaskar, DEE, PRI, Sub-Division, Sathyavedu, Chittoor District, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri P. Bhaskar, DEE, PRI, Sub-Division, Sathyavedu, Chittoor District, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P. Bhaskar, DEE, PRI, Sub-Division, Sathyavedu, Chittoor District through the Engineer-in-Chief, Panchayat Raj, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, Vijayawada (in duplicate with a request to serve and return the dated acknowledgement copy).
Copy to:
The Director General, ACB, Vijayawada(w.r.t. FIR in Cr.No.14/RCT-TCT/2015 of ACB, Tirupati, Tirupati Range)
The PR&RD (Estt.I) Department.
S.f./S.c.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI P. BHASKAR, DEE, PRI, SUB-DIVISION, SATHYAVEDU, CHITTOOR DISTRICT.

That Sri Pruudhivi Bhaskar, S/o Sri P. Chengaiah, aged about 51 years having joined in Government service as Assistant Executive Engineer, Panchayat Raj Department, O/o MPDO, Sodam on 27-04-1992, got promoted as Deputy Executive Engineer on 23-05-2007 and was posted to DWMA, Chittoor. He worked in the above capacities at various places in Chittoor District. He was posted as Deputy Executive Engineer, PRI Sub Division, Satyavedu from 13-02-2013 to till date of trap i.e., on 09-09-2015.

CHARGE: That Sri P.Bhaskar, Dy. E.E. while working in the above capacity during the above mentioned period, has committed grave misconduct in as much as he did not ensure handing over of charge by Sri B. Eswar Babu to his successor, Sri P. Gopal, who reported in MPDO office, Nagalapuram Mandal on 01-09-2015 and there by violated orders of Superintending Engineer, PR, Chittoor vide Ref No: A*1/726*/2015, dt: 15-08-2015 and orders of Executive Engineer, PR, Chittoor vide Ref. No. A1/32/2015, dt: 20-08-2015 and there by failed to maintain absolute integrity by violating APCS (Conduct) Rules, 1964.

Thus, Sri Prudhvi Bhaskar, Deputy Executive Engineer, PRI Sub Division, Sathyavedu, Chittoor District by his above mentioned act has exhibited lack of supervision, integrity, devotion to duty, conduct unbecoming of a Government Servant and thereby contravened Rules 3(1) (2) & (5) of AP Civil Services (Conduct) Rules, 1964.

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND *M*ISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGES FRAMED AG*A*INST SRI PRUDHIVI BHASKAR, S/O SRI P. CHENGAIAIAH, DEPUTY EXECUTIVE ENGINEER, PANCHAYATHI RAJ IRRIGATION SUB DIVISION, SATHYA*V*EDU,CHITTOOR DISTRICT.

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That Sri Pruudhivi Bhaskar, S/o Sri P. Chengaiah, aged about 51 years is a native of Srikalahasthi town & Mandal, Chittoor District. His date of birth is 22-04-1967. He entered into Government service as Assistant Executive Engineer, on 27-04-1992 in Panchayat Raj Department, got promoted as Deputy Executive Engineer (PRI) on 23-05-2007 and was posted to DWMA, Chittoor, Chittoor District. He was posted as Deputy Executive Engineer, PRI Sub Division, Satyavedu, Chittoor District from 13-02-2013 to 09-09-2015 while working in PRI Sub Division, Satyavedu, Chittoor District he is drawing a basic pay of Rs.84,970/- in the time scale of pay of Rs.46060 to Rs.98,440/-. He is here-in-after referred to as Government Servant.

CHARGE:

That Sri P.Bhaskar while working as Deputy Executive Engineer, PRI Sub Division, Sathyavedu, Chittoor district did not ensure handing over of charge by Sri B. Eswar Babu to his successor, Sri P. Gopal, who reported in MPDO office, Nagalapuram Mandal on 01-09-2015 and there by violated orders of Superintending Engineer, PR, Chittoor vide Ref No: *A1/726/*2015, dt: 15-08 2015 and orders of Executive Engineer, PR, Chittoor vide Ref. No. A1/32/2015, dt: 20-08-2015 and there by failed to maintain absolute integrity by violating APCS (Conduct) Rules, 1964.

FACTS AND EVIDENCES

On 09-09-2015 at about 11:00 AM Sri Pattipati Harshavardhan Prasad, Slo Sri Bakthavathalam, aged about 30 years, D.No.3-109, Achama Naidu Kandriga Village, Karani Post, Nagalapuram Mandal, Chittoor District came to the ACB office, Tirupati and lodged a Telugu computer typed report to the DSP, ACB, Tirupati stating that the Government Servant Sri Bathala Eswar Babu, S/o. Late. B.Basavaiah, aged 56 years had demanded him bribe amount of Rs. 25,000/- for doing an official favour.

Basing on the complaint of Sri Pattipati Harshavardhan Prasad, *S/*o Sri Bakthavathalam, a case in Cr. No. 14/RCT-TCT/2015 U/sec. 7 of the PC Act 1988 was registered in ACB, Tirupati, Tirupati Range after confirming that the complainant facts are genuine and the reputation of the Government Servant is bad.

During the course of investigation, the Government Servant Bathala Eswar Babu, Slo Late B.Basavaiah, aged 56 years, Assistant Engineer, PR, (on deputation), O/o MPDO, Nagalapuram Mandal, Chittoor district was trapped on 09-09-2015 at 06:40 PM in the room of AE, Panchayat Raj, located in the O/o MPDO, Nagalapuram Mandal, Chittoor district. The complainant met the AO at the above place where in the AO demanded the bribe amount of Rs. 25,000/ from the complainant and accepted the tainted currency with his right hand and counted it with his both hands and then kept the same in his trouser's right side front pocket.

The chemical test conducted on the both hand fingers and the inner linings of the trouser's right side front pocket of Government Servant yielded positive results. The bribe amount of Rs. 25,000/- was recovered from the trouser's right side front pocket of Government Servant at his instance.

During the post trap proceedings it came to light that the Sri B. Eswara Babu, Assistant Engineer (Accused Officer) was transferred from Nagalapuram and one Sri P. Gopal, AE had reported in his place, but the former did not hand over the charge to his successor Sri P. Gopal, AE, who reported in MPDO office, Nagalapuram on 01-09-2015. but the Government Servant failed to ensure handing over of charge by Sri B. Eswara Babu, Assistant Executive Engineer to his successor and there by violated orders of Superintending Engineer, PR, Chittoor vide Ref No: A*1/*726/2015, dt: 15-08-2015 and orders of Executive Engineer, PR, Chittoor vide Ref. No. A1/32/2015, dt: 20-08-2015.

ORAL EVIDENCE:

1. Sri Pattipati Harshavardhan Prasad : To speak to the facts of demand of bribe by the Government Servant and lodging a complaint before the DSP, ACB, Tirupati, accepting of bribe by the Government Servant and etc facts.,

2. Sri Sirevelu Balasubramanyam: To speak about, acting as mediator 1 and the facts of pre-trap and post-trap proceedings and etc., facts.

3. Sri Tanikondareddy Chakradar: To speak about acting as mediator 2 and the facts of pre-trap and post-trap proceedings and etc., facts.

4. Superintending Engineer, Panchayath Raj Department: To speak to the facts of issuing orders in Ref. No: A*1/72*6/2015, dt: 15-08-2015 posting Sri P. Gopal as AE, Nagalapuram Mandal in place of Sri Bathala Eswara Babu and he had failed in handing over charge to him and etc., facts.

5. Executive Engineer, Panchayat Raj department : To speak to the facts of issuing orders in A1/32/2015, dt: 20-08-2015 posting Sri P. Gopal as AE,Nagalapuram Mandal in place of Sri Bathala Es*w*ara Babu and he had failed in handing over charge to him and etc., facts.

6. Sri P.Gopal, AE: To speak to the facts of being posted as AE (PR) Nagalapuyram in place of Sri Bathala Eswara Babu and he had not handed over charge to him as on 09-09-2015 and etc facts.

7. Sri. A.Sankar Reddy, Dy. Supdt. Of Police, ACB, Tirupati Range, Tirupati : To speak about registration of FIR, laying of trap , arrest of Sri Bathala Eswara Babu,(Government Servant) his investigation and etc facts,

DOCUMENTARY EVIDENCE:

1. Copy of FIR in Cr. No. 14/RCT-TCT/2015 of ACB, Tirupati, Tirupati Range.

2. Copy of mediators report - Il drafted on 09-09-2015 from 18:50 hrs to 23:50 hrs in the room of AE, Panchayat Raj, located in the O/o MPDO, Nagalapuram Mandal, Chittoor District.

3. Copy of orders of Superintending Engineer, PR, Chittoor vide Ref No: A*1*/726/2015, dt: 15-08-2015 and

4. Copy of orders of Executive Engineer, PR, Chittoor vide Ref. No. A1/32/2015, dt: 20-08-2015,

The facts and material so gathered reveals that the Government Servant Sri Prudhvi Bhaskar, Deputy Executive Engineer, PRI Sub Division, Sathyavedu, Chittoor District by his above mentioned act has exhibited lack of supervision, integrity, devotion to duty and conduct, unbecoming of Government Servant and thereby contravened Rules 3(1) (2) & 5 of AP Civil Services (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action for Major penalty.

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE - III

LIST OF WITNESSES:

1. Sri. Pattipati Harshavardhan Prasad, S/o Sri P. Bakthavathalam, aged about 30 years, D. No.3-109, Achama Naidu Kandriga Village, Karani Post, Nagalapuram Mandal, Chittoor District.

2. Sri Sirevelu Balasubramanyam S/o Sri S. Bojjanna, aged about 53 years, Principal, Government Junior College, Karvetinagaram, Chittoor Dist. R/o D.No.28-223, Rajareddy Street, Chittoor Town (Mediator - 1).

3. Sri Tanikondareddy Chakradar, S/o T. Guruswamy, aged about 29 years, Mathamatics, Government Junior College, Karvetinagaram, Chittoor Dist. R/o D. No.11-35, Flat No.104, S.P.Kesava Towers, S.V.Nagar, Tirupati (Mediator-II).

4. The Superintending Engineer, Panchayat Raj Department, Chittoor, Chittoor district.

5. The Executive Engineer, Panchayat Raj Department, Tirupati, Chittoor district.

6. Sri P. Gopal, Assistant Engineer (PR), O/o MPDO, Nagalapuram Mandal, Chittoor District.

7. Sri. A. Sankar Reddy, Dy. Supdt. Of Police, ACB, Tirupati Range, Tirupati

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE - IV

LIST OF DOCUMENTS:

1. Copy of FIR in Cr.No.14/RCT-TCT/2015 of ACB, Tirupati, Tirupati Range.
2. Copy of mediators report – II drafted on 09-09-2015 from 18:50 hrs to 23:50 hrs in the room of AE, Panchayat Raj, located in the Olo MPDO, Nagalapuram Mandal, Chittoor District.
3. Copy of orders of Superintending Engineer, PR, Chittoor vide Ref No:A*1*/726/2015, dt: 15-08-2015.
4. Copy of orders of Executive Engineer, PR, Chittoor vide Ref. No. A*1*/32/2015, dt:20-08-2015.

DR. K.S. JAWAHAR REDDY
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